

**Business, Transportation and Housing Agency
Office of Tourism
Title 10, Chapter 7.67, Sections 5370 – 5377
California Welcome Centers**

NOTICE OF PROPOSED RULEMAKING

July 22, 2005

Notice is hereby given that the Office of Tourism proposes to adopt the proposed regulations described below after considering all comments, objections and recommendations regarding the proposed action.

Proposed Regulatory Action

The Agency proposes to adopt sections 5370, 5371, 5372, 5373, 5374, 5375, 5376 and 5377 in Title 10 of the California Code of Regulations in order to implement, interpret and make specific Government Code section 13995.150, 13995.151, 13995.152, 13995.153, 13995.154 and 13995.155, relating to California Welcome Centers.

No public hearing is scheduled; however, any interested person or his or her duly authorized representative may request a public hearing no later than fifteen (15) days prior to the close of the public comment period.

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Agency. Written comments will be accepted by the Agency until **5:00 p.m. on September 5, 2005**. Submit comments to:

Terri Toohey
Office of Tourism
980 Ninth Street, Suite 480
Sacramento, CA 95814
Fax: 916-322-3402
E-Mail: [ttoohey @ tourism.ca.gov](mailto:ttoohey@tourism.ca.gov).

Authority and Reference

The proposed regulation has been adopted under the authority of Government Code section 13995.155 and in order to implement, interpret, and make specific Government Code sections 13995.150, 13995.151, 13995.152, 13995.153 and 13995.154.

Informative Digest / Policy Statement Overview

The Agency proposes to adopt new sections 5370, 5371, 5372, 5373, 5374, 5375, 5376 and 5377. The regulations concern the establishment and maintenance of California Welcome Centers throughout the State of California.

The purpose of the regulation is to provide the application and designation process of a California Welcome Center.

Government Code section 13995.150 provides for a statewide network of visitor information centers, to be known as California Welcome Centers (Centers). Government Code section 13995.151 provides that the Division of Tourism shall designate the Centers and establish requirements for the operation of a Center. This section allows the Division to limit the number of Centers within a geographic area to prevent an excessive density of centers. This section also provides that the Division shall collect fees from the Centers to cover the administrative cost of the program. Government Code Section 13995.155 provides that the California Tourism Commission shall review any proposed regulations before adoption.

Section 5370 will provide definitions of terms used in the California Welcome Center Program. Section 5371 will provide the criteria to be eligible for designation as a California Welcome Center. Section 5372 will specify the application process, including the solicitation notice, and the deadlines. Section 5373 will specify the information to be included as part of the general information in the application, including name, address, name of operating entity, and the application fee. Section 5374 will specify the proposal plans that shall be included with the application. This section requires five proposal plans to be included as part of the application: Site Plan, Marketing Plan, Financial Plan, Operational Plan and Local Community Support Report. Section 5375 will specify the continuing responsibilities of the California Welcome Center, including annual maintenance fees to be paid to the Division of Tourism, training, meeting attendance, signage requirements, sale of merchandise restrictions, promotion of the California Tourism and Welcome Centers and successful periodic site inspections. Section 5376 will specify the criteria and the process of revocation of a designation of a California Welcome Center. Section 5377 will specify the appeal process for a California Welcome Center that has been revoked.

Disclosures Regarding The Proposed Action

The Office of Tourism has made the following determinations:

- Mandate on local agencies and school districts: None.

- Cost or savings to any state agency: No cost will be incurred by the California Department of Transportation for the installation of state-mandated signage on California Highways. The regulation requires the California Welcome Center to pay for all fees associated with the required signage.
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.
- Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.
- Potential cost impact on private persons or directly affected businesses: The Office is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.”
- Adoption of these regulations will (1) facilitate the creation of jobs within California; (2) will facilitate the creation of businesses within California, (3) will facilitate the expansion of businesses currently doing business within California.
- Significant effect on housing: None.

Small Business Determination

The Office of Tourism has determined that the proposed regulations will not affect small business because these regulations only affect persons applying for or designated as a California Welcome Center. There are currently only ten California Welcome Centers in California.

Alternatives Considered

The Office of Tourism must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Agency would be more effective in carrying out the purpose of the proposed action, or be as effective and less burdensome to affected private person than the proposed regulations. The Agency invites interested persons to present statements or arguments concerning alternatives to the proposed regulation during the public comment period.

Contact Person

Inquiries concerning the proposed action may be directed to:

California Welcome Centers

Janice Simoni
California Welcome Centers
916-445-1094

Formatted: Italian (Italy)

The backup contact person for these inquiries is:

Terri Toohey
Office of Tourism
916-324-3787

Questions on the substance of the proposed regulations may be directed to Janice Simoni at the above phone number.

Availability Of Changed Or Modified Text

After the close of the forty-five (45) day public comment period, the Office may adopt the proposed regulation. As a result of public comments, either oral or written, that are received by the Agency regarding this proposal, the Office may determine that changes to the proposed regulation are appropriate. If the Office makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Office adopts the regulations as revised. The Office will provide notification of any such modifications to all persons whose comments were received during the public comment period, all persons whose comments (written or oral) were received at the public hearing (if one is held), and all persons who requested notice of such modifications. Otherwise, please send requests for copies of any modified regulations to the attention of Terri Toohey at the above address. The Office will accept written comments on the modified regulations for 15 days after the date on which they are made available.

Availability Of Initial Statement Of Reasons, Rulemaking File And Express Terms Of The Proposed Regulations

The Office has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Office's office at 980 Ninth Street, Suite 480, Sacramento, California 95814, during normal business working hours. Please contact Terri Toohey at the above address to arrange a date and time to inspect the files. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons and the proposed text of the regulations. Copies of these items are available, upon request, from the Office Contact Person designated in this Notice.

Availability Of Final Statement Of Reasons

The Office is required to prepare a Final Statement of Reasons. Once the Office has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy. Requests for copies should be addressed to the Office Contact Person identified in this Notice.

Office Internet Website

The Office maintains an Internet website for the electronic publication and distribution of written material. Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at: <http://www.visitcalifornia.com>.